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JOURNAL

OFFICE OF LEGISLATIVE COUNSEL

Wednesday - 19 April 1978

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✓ 1. (Unclassified - JEC) LEGISLATION Called Bob Carlstrom, OMB, to comment on DOD's proposed views letter on a number of House bills to amend the Administrative Procedure Act. I told him we agreed with DOD with one minor exception. We would prefer to see DOD's amendment apply to information "protected from unauthorized disclosure by Executive Order or statute" rather than "information which is kept secret pursuant to Executive Order or statute" as DOD's amendment reads. I told Mr. Carlstrom that our language is the manner this is usually put into bills. I also told him that we may possibly be changing our views letter on S. 1720 and S. 1721 in light of DOD's comments on these bills.

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2. (Unclassified - RLB) LEGISLATION Along with [REDACTED] OGC, attended as an observer the public hearing on S. 2525, the intelligence charter legislation, conducted by the Senate Select Committee on Intelligence. Mr. McGeorge Bundy was the sole witness. (See Memorandum for the Record.)

3. (Unclassified - MDC) LIAISON Spoke with Susan Scanlan, Assistant Executive Director, Congressional Women's Caucus. Ms. Scanlan advised me that they had received and approved the invitation from the Director. She added that she felt that six of the Members would like to attend a breakfast with the Admiral. The Women's Caucus is currently holding a "fund-raising drive" which will be finished Tuesday, 25 April. On 26 April I and Ms. Scanlan will again discuss when and where (tentatively) it will be held.

4. (Unclassified - MDC) LIAISON Spoke with Rita, Office of the Secretary of Defense, Legislative Affairs, to advise her that three out of a list of 16 Senate staffers which she had provided to this Office had compartmented clearances.

5. (Internal Use Only - GMC) LIAISON Called Don Sanders, Special Counsel, Morgan-Schmitt Senate Select Committee on Ethics Subcommittee, to check with him on changes in the draft Memorandum of Understanding between the DCI and the Subcommittee. Sanders said the changes were acceptable, and I told him that I would forward the Memorandum to the DCI for signature.

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Tuesday - 18 April 1978

1. (Unclassified - NDL) EMPLOYMENT REQUEST Received a call from David Lovenheim, Administrative Assistant to Representative Frank Horton (R., N. Y.), who asked if we could set up an employment interview for their constituent, [redacted] for sometime tomorrow afternoon. After checking with [redacted] I phoned Mr. Lovenheim back and told him an appointment had been arranged for [redacted] at 2:00 p.m. on 19 April.

2. (Unclassified - MG) EMPLOYMENT REQUEST Received a call from Donna, in the office of Representative Gary Myers (R., Pa.), who requested an employment package be sent to one of the Congressman's constituents, [redacted] [redacted] Office of Personnel, will send the material directly to the constituent.

✓ 3. (Unclassified - RLB) LEGISLATION Spoke with Bob Carlstrom, OMB, regarding our interest in S. 1437, the "Criminal Code Reform Act of 1978." I brought Mr. Carlstrom up to date on our concern with this legislation and with our activities related thereto. Our concern goes to the legislation's failure to provide a "public authority defense." I told Mr. Carlstrom we had been consulting with the Department of Justice and had met last week with the staff of the House Permanent Select Committee on Intelligence on this legislation. I told him further we were considering approaching the House Judiciary Committee and Senator Edward Kennedy (D., Mass.), a prime sponsor of the legislation, to raise our concerns with them, in an effort to obtain a congressional hearing for the matter of the relationship between this legislation and authorized intelligence activities. Mr. Carlstrom said it was important that we continue to work closely with the Department of Justice on this, and that he would check with other components in OMB to ascertain whether they would have any objection to our pursuing this course of action. We agreed that in lieu of a formal letter to OMB on S. 1437 in response to their request for our views, I would provide Mr. Carlstrom a memorandum outlining our concerns with the legislation and our activities to date.

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Journal - Office of Legislative Counsel
Monday - 17 April 1978

Page 3

25X1 9. [] LEGISLATION Called the Senate Committee on Human Resources to check on the status of S. 2550, a bill entitled "Women in Science and Technology Equal Opportunity Act." I was told that the Health Subcommittee held one day of hearings on 10 April 1978. Nothing further is scheduled on the bill at this time.

25X1 10. [] LEGISLATION Spoke with Bob Carlstrom, OMB with regard to Attorney General Bell's testimony to be given on 20 April 1978 before the full Senate Judiciary Committee. OMB had sent us a copy of Mr. Bell's proposed opening statement and asked for our comments by COB today. (See Memorandum for the Record.)

25X1 11. [] LIAISON Delivered letters informing the House Appropriations Committee, the Senate Appropriations Committee, and the House Permanent Select Committee on Intelligence of the Director's decision to move forward on [] delivered a letter to the Senate Select Committee on Intelligence on this subject. 25X1

25X1 12. [] LIAISON Talked to Jim Fellenbaum, Senate Appropriations Committee staff, about addressing material to the Committee. He says all routine matters should be addressed to Subcommittee on Defense Chairman John C. Stennis (D., Miss.) This includes reprogramming requests, notifications of actions, etc. Reactions to Committee reports or Conference Reports should be addressed to full Committee Chairman Warren G. Magnuson (D., Wash.).

25X1 13. [] LIAISON Met with Ralph Preston, Peter Murphy and Don Willson, House Appropriations Committee staff, on a security matter. (See Memorandum for the Record.) 25X1

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25X1 15. [] EMPLOYMENT Received a call from Gail Kelly, in the office of Representative Richard L. Ottinger (D., N.Y.), who requested a professional employment package for a constituent. OLC Registry will handle.

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Journal - Office of Legislative Counsel
Monday - 17 April 1978

Page 2

✓ 5. (Unclassified - JEC) LEGISLATION Received a call from Bob Carlstrom, OMB in regard to our views on a letter from the Office of Telecommunications Policy commenting on H. R. 7341, the "Telecommunications Privacy Act." Mr. Carlstrom asked that we send a report to him in writing for his file and indicated that a memo would be sufficient. He also asked that we consider whether there is a better way to deal with the problems posed by the bill.

✓ 6. (Unclassified - JEC) LEGISLATION Called Jim Stimpson, OMB, and told him that we were still waiting for comments within the Agency on the Civil Service Commission's draft physicians pay bill. He indicated that a number of agencies had not yet submitted their views. I told him we would have a letter to him as soon as we received all the comments.

7. (Unclassified - RLB) LEGISLATION Spoke with Mike O'Neil, Chief Counsel, House Permanent Select Committee on Intelligence, and summarized for him the content of our meeting on 13 April 1978 with staffers of Representatives Romano Mazzoli (D., Ky.) and Don Edwards (D., Calif.). I told Mr. O'Neil we had gone over essentially the same points that had been discussed in our earlier discussions with Mr. O'Neil and that we had left with the staffers a suggested amendment to paragraph 205(a)(2) of H. R. 1 that made more explicit the information that would be contained in the financial disclosure report to protect the cover status of intelligence officers.

8. (Internal Use Only - RLB) LEGISLATION Spoke with Pat Long, on the staff of the House Permanent Select Committee on Intelligence, to obtain some background information regarding Title IV of the intelligence authorization bill introduced on 13 April 1978 by Representative Edward Boland (D., Mass.), H. R. 12109. Title IV concerns reporting by the Attorney General to the two intelligence oversight committees as to admission into the United States of certain categories of undesirable aliens. Mr. Long said this provision, supported by Representative Robert McClory (R., Ill.), was based on concern expressed by the FBI that the State Department had been admitting into the country too many undesirable aliens.

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